

Judge John C. Coughenour

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

I, Marshall S. Meyers, am counsel for Plaintiff in the above-captioned matter. I state the following on the basis of my personal knowledge of the facts set forth herein:

1. Defendant Receivables Performance Management, LLC (“RPM”) produced a number of documents in discovery.

2. RPM produced its Pick Report for Ms. Jendrysik's telephone number as RPM000562-000579. A true and exact copy of that report is attached to this declaration as Exhibit "A."

1 3. RPM produced its Noble Systems Dialer Report for Ms. Jendrysik's telephone
2 number as RPM000580-000581. A true and exact copy of that report is attached to this
3 declaration as Exhibit "B."

4 4. RPM produced the Preview Dialing manual for its Noble Systems dialer as
5 RPM000170-000177. A true and exact copy of that report is attached to this declaration as
6 Exhibit "C."

7 5. In *Levy v. Receivables Performance Mgmt., LLC*, No. 11-CV-3155-JFB-ARL
8 (E.D.N.Y. Sept. 23, 2013), plaintiff took the deposition of Christopher Vittoz and filed a partial
9 transcript of the deposition in support of his motion for partial summary judgment.

10 6. Various excerpts from the transcript of the deposition are attached to this
11 declaration as Exhibit "D."

12 7. The plaintiff's statement of facts from *Levy* is attached to this declaration as
13 Exhibit "E."

14 8. RPM's response to the plaintiff's statement of facts in *Levy* is attached to this
15 declaration as Exhibit "F."

16 9. The plaintiff's motion to compel, filed as a letter motion, is attached to this
17 declaration as Exhibit "G."

18 10. The plaintiff's motion for contempt, filed as a letter motion, is attached to this
19 declaration as Exhibit "H."

20 11. The plaintiff's motion for sanctions, filed as a letter motion, is attached to this
21 declaration as Exhibit "I."

12. A portion of the plaintiff's opposition to RPM's motion for summary judgment is attached to this declaration as Exhibit "J."

13. RPM produced in discovery the manual for Noble Systems' Dynamic Center Reporter.

14. A portion of the Dynamic Center Reporter Manual is attached to this declaration as Exhibit "K."

15. Prior to RPM filing its motion for summary judgment, the parties scheduled a deposition of Lukasz Wojnowski, RPM's Director of Information Technology to take place on December 13, 2013 at RPM's counsel's office.

I declare under the penalty of perjury that the foregoing is true and correct.

Respectfully submitted this Monday, December 02, 2013.

/s/ Marshall S. Meyers
Marshall S. Meyers

CERTIFICATE OF SERVICE

I hereby certify that on December 2, 2013, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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/s/ David McDevitt
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